

PATENT COOPERATION TREATY

PCT


INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 06 JUL 2005

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Applicant's or agent's file reference A-159150		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/IB2004/000787		International filing date (day/month/year) 18.03.2004	Priority date (day/month/year) 01.04.2003	
International Patent Classification (IPC) or national classification and IPC A63B23/04				
Applicant PROTECTIVE COMFORT GROUP, S.L. et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 2 sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (Indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 28.10.2004		Date of completion of this report 05.07.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Squeri, M Telephone No. +49 89 2399-8417		



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/IB2004/000787

Box No. I. Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-13 as originally filed

Claims, Numbers

1-18 filed with telefax on 02.05.2005

Drawings, Sheets

1/9-9/9 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/IB2004/000787

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-18
	No: Claims	
Inventive step (IS)	Yes: Claims	1-18
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-18
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/IB2004/000787

1. A device to carry out physical exercise according to the preamble of claim 1 is known from the document US-A-5441466 (D1). A double-sided device, comprising also a side, as claimed in the characterising part of claim 1, that includes an inflatable flexible element which can be used for balance, proprioception and coordination exercises is there not disclosed.

Therefore, claim 1 meets the requirements of Article 33.2 PCT.

In the available prior art there is no suggestion that by means of a double-sided device as the one resulting from the characterising portion of claim 1 it could be possible to work on both the areas of aerobic and cardio and the areas of balance, proprioception and coordination, thereby increasing the training possibilities with a single device.

Consequently, claim 1 involves also an inventive step (Article 33.3 PCT).

The subject-matter of claim 1 is industrially applicable as a device to carry out physical exercise (Article 33.4 PCT).

2. The wording "or the like", used in the claims 1- 3, 5-7, 9 and 17, is not clear (Art. 6 PCT). It should be erased from these claims and the specific other possibilities, if they were originally disclosed in the application, should be introduced in the claims.

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NEW SET OF CLAIMS

Claims

1. Device to carry out physical exercise that comprises a double-sided support (1), with one upper and one lower side, one of which is considerably rigid and the other includes an inflatable flexible element (3) or the like, resting means for the support that allow users to carry out aerobic and cardio exercises and to work on their physical condition in general using the considerably rigid side, **characterised** in that said inflatable flexible element (3) or the like is slightly dished and in that said inflatable flexible element (3) or the like allows users to carry out balance, proprioception and coordination exercises when standing on it, so that the device allows users to work on both the areas of aerobic and cardio and the areas of balance, proprioception and coordination.
2. Device according to claim 1, **characterised** in that said resting means are feet (5) that rotate around the support (1) and around a considerably horizontal axis.
3. Device according to claim 1, **characterised** in that said inflatable flexible element (3) or the like is detachable and is joined to the support (1) by joining means.
4. Device according to claim 1, **characterised** in that said considerably rigid side comprises a contact platform (4) joined to the support (1) by joining means.
5. Device according to claims 3 **characterised** in that said joining means comprise a housing (2), which accommodate said inflatable flexible element (3) or the like.
6. Device according to claim 5, **characterised** in that said housing (2) comprises means (7) to set the position of said inflatable flexible element (3) or the like.
7. Device according to claim 5, **characterised** in that said inflatable flexible element (3) or the like comprises means (8,10) to set its position in said housing (2).
8. Device according to claim 1, **characterised** in that said flexible element (3),



being inflatable, has a rectangular base.

9. Device according to claim 1 characterised in that said inflatable flexible element (3) or the like comprises the more density or thickest area of the base.
10. Device according to claim 1, characterised in that said flexible element (3), being inflatable, comprises supports (18) on its base.
11. Device according to claim 3 characterised in that said inflatable flexible element (3) or the like comprises a platform joined to the base.
12. Device according to claim 2, characterised in that said support comprises gaps (14) to partially scramble said feet (5).
13. Device according to claim 1, characterised in that said support (1) comprises means (11) to fix elastic bands for exercises entailing toning up muscles, body building and rehabilitation.
14. Device according to claim 4, characterised in that said contact platform (4) is manufactured in a point-elastic material that is capable of absorbing and restoring energy.
15. Device according to claim 1, characterised in that it comprises means (21) to regulate its height.
16. Device according to claim 1 characterised in that said support (1) and said feet (5) comprise means (12) to hold and handle said device.
17. Device according to claim 1 characterised in that inflatable flexible element (3) or the like comprises means (20) to hold and handle it.
18. Device according to claim 1 characterised in that said flexible element (3), being inflatable, comprises at least one valve (19) to modify the pressure inside it.

VIII-3-1	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name:	in relation to this international application PROTECTIVE COMFORT GROUP, S.L. is entitled to claim priority of earlier application No. P-200300755 by virtue of the following:
VIII-3-1(i) v).		an assignment from PEMARSA, S.A. to PROTECTIVE COMFORT GROUP, S.L., dated 12 March 2004.
VIII-3-1(i) x)	This declaration is made for the purposes of:	all designations